

Application No. 09/888,340
Response dated August 24, 2007
Reply to Restriction Requirement dated July 27, 2007

REMARKS/ARGUMENTS

Applicants elect Claims 1, 10-11 and 19, as selected by the Examiner, apparatus and method directed to determining price of products, classified in 705/400, to satisfy the restriction requirement. Election of a single disclosed species is in compliance with 35 U.S.C. 121. Additionally, Applicants respectfully submit that all Claims 1-19 are generic as depending from generic Base Claims 1 and 11, and as detailing specifics of determining price of products.

While dependent Claims 2 and 12 include the creation of cost models and sale models, these processes are necessary components of the price optimization process disclosed in Base Claims 1 and 11. As such, Applicants respectfully assert that Dependent Claims 2 and 12 are not distinct species from the price setting, but rather sub components of the disclosed price setting. Likewise, Applicants believe that the close relatedness between price setting and cost modeling does not unduly burden Examiner's examination.

Dependent Claims 3-10 and 13-18 flow from dependent Claims 2 and 12; however, each of these dependent Claims 3-10 and 13-18 are not disclosing cost modeling, but rather the process of rule relaxation for the Base Claims 1 and 11, respectively. As such, Applicants respectfully assert that Dependent Claims 3-10 and 13-18 are generic in form.

Applicants believe that all pending Claims 1, 10-11 and 19 are now allowable over the cited art and are also in allowable form and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at telephone number 925-570-8198.

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